

# KEELER 257439

## CONSTRUCTION CO., INC.



13519 WEST LEE ROAD • ALBION, NEW YORK 14411 (585) 589-4481 FAX: (585) 589-1160

October 21, 2003

Mr. Stephen Kratzke  
Docket Management Facility  
U.S. Department of Transportation  
400 Seventh Street, SW  
Nassif Building, Room PL-401  
Washington D.C. 20590-001

Agency Name: National Highway Transportation Safety Administration (NHTSA)  
Docket Number: NHTSA-03-14396 - 12

Dear Mr. Kratzke,

Controlled horizontal discharge semi-trailers have served the construction industry since their creation in 1969. They have allowed road-building contractors and the trucking firms that serve them to move road-building materials to a job site and unload them without the threat of having that trailer tip-over or conflict with overhead wires, etc.

The under-ride guard that has been required of trailer manufacturers is, I believe, put out with the best intentions. However, in the case of RCC horizontal discharge semi-trailers, it should not be applied.

However, if Flow Boy could design a guard that could be moved to allow for the interface between the asphalt paving machine and the RCC horizontal discharge semi-trailer, it would actually be a liability to me, as an owner. If it were a manual guard, either the driver or another worker on-site would be required to raise and lower the guard after each unloading cycle. This sort of physical strain is not in the best interests of our employees. Too, with all the noise, distraction, near-by traffic, constant movement and adjustments being made when the paving process is underway, there is just too much risk for physical injury to our employees because of one more thing that has to be attended to before and after a semi-trailer goes through the unloading process.

If the guard were automated, the additional cost, risk of injury because of an employee being too close to the guard when it is being raised or lowered, etc., etc. make this an unattractive option, at best.

In both cases, the manual or automated guard would increase cost, empty weight and maintenance on these trailers, which we are adamantly opposed to.

Please change Federal Motor Vehicle Safety Standard Number 224 to exclude RCC horizontal discharge semi-trailers from the standard.

Sincerely,

James H. Keeler  
President